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1553 Roble Drive  
Santa Barbara, California

Board of Supervisors  
105 E. Anapamu Street, Room 407  
Santa Barbara CA, 93101

June 29, 2010

Via Facsimile

Re: California Coastal Commission Recommended Modifications to County Coastal  
LUDC

Dear Supervisors,

My wife and I own property adjacent to the bluff top in Hope Ranch. After reviewing the staff report from the Coastal Commission we are very concerned about the impacts that these modifications will have upon our property rights and on some historic structures that are located on the property.

In 1934, construction on a funicular to access our beach cabana was completed by Otis Elevator Company. From what I have been told, this funicular was the first of its kind on the West Coast and Otis actually offered free maintenance to the owner of the property for as long as they lived. The proposed changes to the code appear to prohibit me from repairing and maintaining this historic resource and from accessing the beach and the historic beach cabana.

In their staff report, Coastal Commission staff states that the County has been misinterpreting its Coastal Plan and that only public staircases on bluff tops should be allowed. However that cannot be the case, for if it were so, surely the Coastal Commission would have appealed at least some of the Coastal Development Permits that have been issued in the last 30 or 40 years since the County's Coastal Plan was certified. To my knowledge, the Coastal Commission has never appealed a permit for a private staircase to the beach.

So, the Coastal Commission staff is probably engaging in a bit of revisionist history and this change actually represents a shift in policy and an impact on property rights, particularly for the owners of existing stairways who will find that their staircases are non-conforming and can no longer be structurally repaired. As mentioned by others in the recent Planning Commission

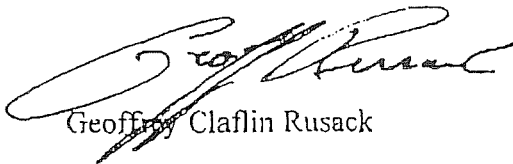
hearings, this will create a safety hazard and endanger access to the beach by emergency personnel.

From what I understand, Coastal Commission staff's justification for this change is that the permitted staircases are causing significant bluff damage. While I found this doubtful, what is more likely is that attempting to ban private staircases will result in illegal and improperly designed staircase which is certainly a greater threat to the bluff. In contrast, the current process requires a structurally engineered staircase, a geologist report and a thorough review of the project by County staff, followed by a public hearing that is appealable to the Coastal Commission.

I find it curious that the "streamlining" of the Land Use Development Code that we were promised when this project first began has turned into wholesale changes propagated by Coastal Commission staff; without undergoing environmental review or proper public debate.

Planning & Development is treating these changes as a *fait accompli* but these proposed changes to the code deserve long thought and the proper process. I urge the Board of Supervisors to reassert control over land matters within our County and not to outsource our land planning to Coastal Commission staff.

Sincerely,



Geoffrey Claflin Rusack

Cc: Noel Langle, Project Manager, Planning & Development  
Michael Allen, Chief Deputy Clerk of the Board